

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CARLOS ESTRADA

Plaintiff,

v.

Civ. 13-299 JAP/GBW

CORIZON MEDICAL SERVICES,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION**

This matter comes before the Court on the Court's Order to Show Cause. *Doc.*

23. Defendant Corizon filed a motion dismiss for failure to exhaust administrative remedies on January 6, 2014. *Doc. 19.* Plaintiff did not respond to this motion. On January 30, 2014, the Court entered an order of reference in this matter, the mailing of which was returned to the Court on February 12, 2014 as undeliverable because Plaintiff had been discharged from the Central New Mexico Correctional Facility. *See docs. 21, 22.*

The Court issued an Order to Show Cause to Plaintiff on February 18, 2014 for failure to comply with D.N.M.LR-Civ. 83.6, the time to respond to which lapsed on March 4, 2014. *Doc. 23.* Plaintiff failed to respond to the Order to Show Cause.

The Magistrate Judge filed his Proposed Findings and Recommended Disposition (PFRD) on March 26, 2014. *Doc. 26.* He recommended dismissal of

Plaintiff's action for failure to prosecute under Federal Rule of Civil Procedure 41(b) and for failure to comply with the Court's order. *Id.* at 4.

Plaintiff has filed no objections to the PFRD, and, upon review of the record, I concur with the Magistrate Judge's findings and recommendations.

Wherefore, IT IS HEREBY ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition, *doc.* 26, is ADOPTED. Plaintiff's claims are DISMISSED WITHOUT PREJUDICE.



SENIOR UNITED STATES DISTRICT JUDGE